

Applicants note the objection to the oath or declaration submitted in response to the Notice to File Missing Parts dated February 5, 2000. Submitted herewith is a Declaration and Power of Attorney newly executed by inventors, Balwinder S. Samra and Oumar Nabe. Accordingly, Applicants respectfully request approval of the Declaration and Power of Attorney submitted herewith.

Applicants note the objections to the drawings. Submitted herewith is a Request for Approval of Drawing Changes. Specifically, in Figure 1, user interfaces 18 have been replaced with blank screen boxes that are clearly labeled "User Interfaces." Additionally, in Figure 2, Applicants have removed certain handwritten wording located near Targeted Mailing List 32. No new matter has been added. Moreover, Applicants have addressed the objections raised by the Draftsperson. In anticipation of approval, formal drawings are also submitted herewith. Accordingly, Applicants respectfully request approval of the Request for Approval of Drawing Changes and the formal drawings submitted herewith.

For at least the reasons set forth above, Applicants respectfully request that the objections to the drawings be withdrawn and the submission of the formal drawings be approved.

The objection to Claims 5 and 16 for failing to provide a comma between the words "graphically" and "clusters" is respectfully traversed. Specifically, although Applicants respectfully submit that a comma is not necessary between the words "graphically" and "clusters" in Claims 5 and 16, in an effort to expedite the prosecution of this application, Applicants have amended Claims 5 and 16 by adding a comma between the words "graphically" and "clusters." Accordingly, Applicants respectfully request that the objection to Claims 5 and 16 for failing to provide a comma between the words "graphically" and "clusters" be withdrawn.

For at least the reasons set forth above, Applicants respectfully request that the objection to Claims 5 and 16 be withdrawn.

The rejection of Claims 1-20 under 35 U.S.C. § 103(a) as being unpatentable over Waits et al. (U.S. Patent No. 5,721,831) in view of Thearling (U.S. Patent No. 6, 240,411) is respectfully traversed.

Waits et al. (Waits) describe an apparatus for recording results of marketing activity in a database of a bank or other financial institution. The apparatus allows a market analyst to select segments of a customer database, and order that a marketing campaign be executed with respect to the segment. The results of the campaign are then stored in the database. The analyst can see the results, modify the campaign, and then execute the modified campaign. The results of the modified campaign are stored in the database, and the analyst can repeat the procedure. (See Waits, col. 1, lines 50-57.)

Waits does not describe nor suggest a method of analyzing the success of a marketing campaign that includes profiling the results of the marketing campaign against a list of user defined dimensions that may be derived using analytic models. Furthermore, Waits does not describe nor suggest a method of analyzing the success of a marketing campaign that includes assigning a score to the results of the marketing campaign.

Thearling describes a method and apparatus for classifying a plurality of records in a database (10) that includes providing a first model (16) for ascertaining a first characteristic of each of the records, forming a query that includes a reference to first model (16), using the reference to execute first model (16) to generate a score for the first characteristic of at least one of the plurality of records, and selecting a selected set of the records wherein each record of the selected set satisfies the selection criteria.

Thearling does not describe nor suggest a method of analyzing the success of a marketing campaign that includes assigning a score to the results of the marketing campaign. Rather, Thearling describes a method and apparatus for classifying a plurality of records in a database that includes a model that generates a “score” or a new data field that relates to a characteristic of at least one of the records, and does not relate to the result of the marketing campaign.

Applicants respectfully submit that the Section 103 rejection of the presently pending claims is not a proper rejection. Obviousness cannot be established by merely suggesting that it would have been obvious to one of ordinary skill in the art to modify Waits using the teachings of Thearling. More specifically, as is well established, obviousness cannot be established by combining the teachings of the cited art to produce the claimed invention, absent some teaching, suggestion, or incentive supporting the combination. It is impermissible to use the claimed invention as an instruction manual or "template" to piece together the teachings of the prior art so that the claimed invention is rendered obvious. Specifically, one cannot use hindsight reconstruction to pick and choose among isolated disclosures in the prior art to deprecate the claimed invention. Further, it is impermissible to pick and choose from any one reference only so much of it as will support a given position, to the exclusion of other parts necessary to the full appreciation of what such reference fairly suggests to one of ordinary skill in the art.

Neither Waits nor Thearling, considered alone or in combination, describe or suggest the claimed combination. Rather, the present Section 103 rejection is based on a combination of teachings selected from multiple patents in an attempt to arrive at the claimed invention. Specifically, Waits is cited for teaching a method of analyzing the success of a marketing campaign by using results and an original campaign database that includes profiling results of the marketing campaign against a list of user defined dimensions which may be defined using analytical models. To the extent understood, however, Waits actually teaches an apparatus that allows a market analyst to select segments of a customer database, order a marketing campaign to be executed with respect to the segment, store the results of the campaign in a database, and modify the campaign after reviewing the results. Thearling is cited for teaching models being scored during campaign management. To the extent understood, however, Thearling actually teaches a method for classifying a plurality of records in a database that includes a model that generates a "score" that relates to a characteristic of at least one of the records, and does not teach assigning a score to the results of a marketing campaign.

Since there is no teaching nor suggestion for the combination of Waits and Thearling, the Section 103 rejection appears to be based on a hindsight reconstruction in which isolated disclosures have been picked and chosen in an attempt to deprecate the present invention. Of course, such a combination is impermissible, and for this reason alone, Applicants request that the Section 103 rejection of Claims 1-20 be withdrawn.

Notwithstanding the above, the rejection of Claims 1-20 under 35 U.S.C. § 103(a) as being unpatentable over Waits in view of Thearling is further traversed on the grounds that Waits and Thearling, considered alone or in combination, do not describe nor suggest the claimed invention.

Claim 1 recites a method of analyzing the success of a marketing campaign by using campaign results and an original campaign database wherein the method includes “profiling results of the marketing campaign against a list of user defined dimensions, the dimensions may be derived using analytic models ...and assigning a score to the results of the marketing campaign.”

Neither Waits nor Thearling, considered alone or in combination, describe or suggest a method of analyzing the success of a marketing campaign that uses campaign results and an original campaign database such that the method includes profiling the results of the marketing campaign against a list of user defined dimensions wherein the dimensions may be derived using analytic models, and assigning a score to the results of the marketing campaign. More specifically, and in contrast to the present invention, Waits describes an apparatus that allows a market analyst to select segments of a customer database, order a marketing campaign to be executed with respect to the segment, store the results of the campaign in a database, and modify the campaign after the analyst has reviewed the results.

Thearling describes a method and apparatus for classifying a plurality of records in a database that includes providing a first model for ascertaining a first characteristic of each of the records, forming a query that includes a reference to the first model, using the reference to

execute the first model to generate a score for the first characteristic of at least one of the plurality of records, and selecting a selected set of the records wherein each record of the selected set satisfies the selection criteria.

Neither Waits nor Thearling, considered alone or in combination, describe or suggest a method of analyzing the success of a marketing campaign as recited in Claim 1. Accordingly, Applicants respectfully submit that Claim 1 is patentable over Waits in view of Thearling.

For at least the reasons set forth above, Applicants respectfully request that the 35 U.S.C. § 103(a) rejection of Claim 1 be withdrawn.

Claims 2-9 depend, directly or indirectly, from independent Claim 1. When the recitations of Claims 2-9 are considered in combination with the recitations of Claim 1, Applicants submit that dependent Claims 2-9 likewise are patentable over Waits in view of Thearling.

Claim 10 has been cancelled and Claim 11 has been rewritten in independent format including the recitations of originally submitted Claim 10. Claim 11 now recites a system configured to analyze success of a marketing campaign that comprises a customer database that comprises campaign results and an original campaign database, a graphical user interface for presentation of campaign analysis data, and user defined models of predicted customer profiles. The system is “configured to profile results of the marketing campaign against said user defined models.”

Neither Waits nor Thearling, considered alone or in combination, describe or suggest a system configured to profile results of a marketing campaign against user defined models. Rather, and in contrast, Waits describes an apparatus that allows a market analyst to select segments of a customer database, order a marketing campaign to be executed with respect to the segment, store the results of the campaign in a database, and modify the campaign after the analyst has reviewed the results. Thearling describes an apparatus for classifying a plurality of

records in a database that includes providing a first model for ascertaining a first characteristic of each of the records, forming a query that includes a reference to the first model, using the reference to execute the first model to generate a score for the first characteristic of at least one of the plurality of records, and selecting a selected set of the records wherein each record of the selected set satisfies a selection criteria. Accordingly, Applicants respectfully submit that Claim 11 is patentable over Waits in view of Thearling.

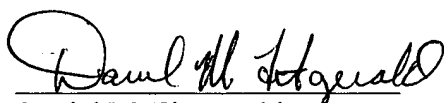
For at least the reasons set forth above, Applicants respectfully request that the 35 U.S.C. § 103(a) rejection of Claim 10 be withdrawn.

Claims 12-20 depend, directly or indirectly, from independent Claim 11. When the recitations of Claims 12-20 are considered in combination with the recitations of Claim 11, Applicants submit that dependent Claims 12-20 likewise are patentable over Waits in view of Thearling.

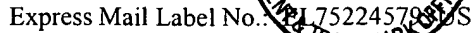
For at least the reasons set forth above, Applicants respectfully request that the 35 U.S.C. § 103(a) rejection of Claims 1-20 be withdrawn.

In view of the foregoing amendments and remarks, all the claims now active in this application are believed to be in condition for allowance. Reconsideration and favorable action is respectfully solicited.

Respectfully Submitted,



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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

SUBMISSION OF MARKED UP CLAIMS

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said system configured to profile results of the marketing campaign against said user defined models.

12. (once amended) A system according to Claim [10] 11 further configured to assign a score to results of the marketing campaign.

13. (once amended) A system according to Claim [10] 11 further configured to compare accounts targeted by the marketing campaign against those accounts not targeted by the marketing campaign.

15. (once amended) A system according to Claim [10] 11 further configured to ensure that the marketing campaign is reaching a targeted population base.

16. (once amended) A system according to Claim [10] 11 further configured to capture graphically, clusters of data built using statistical procedures.

17. (once amended) A system according to Claim [10] 11 further configured to construct gains charts from user defined models and campaign results.

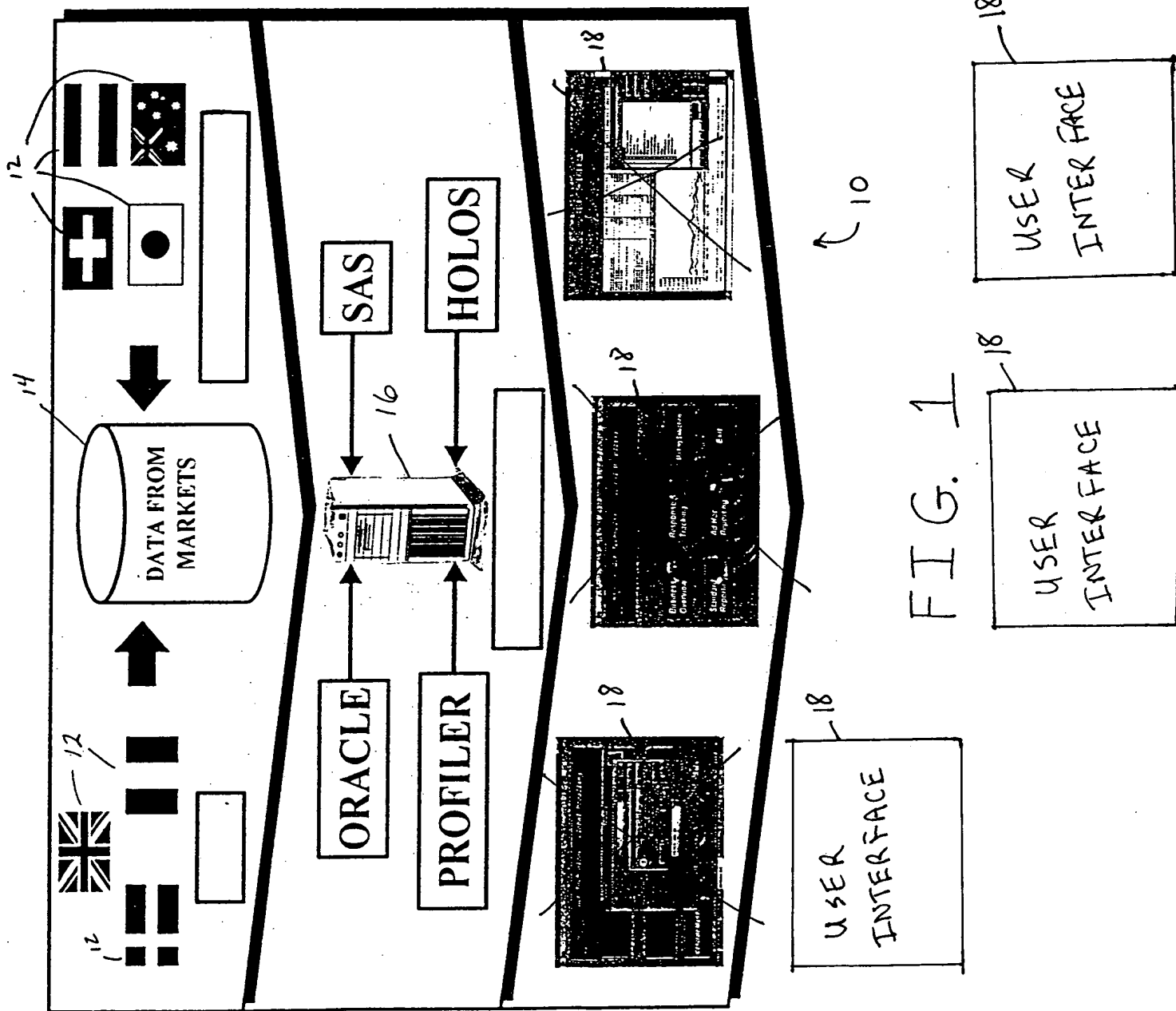
18. (once amended) A system according to Claim [10] 11 further configured to rank order user defined segments.

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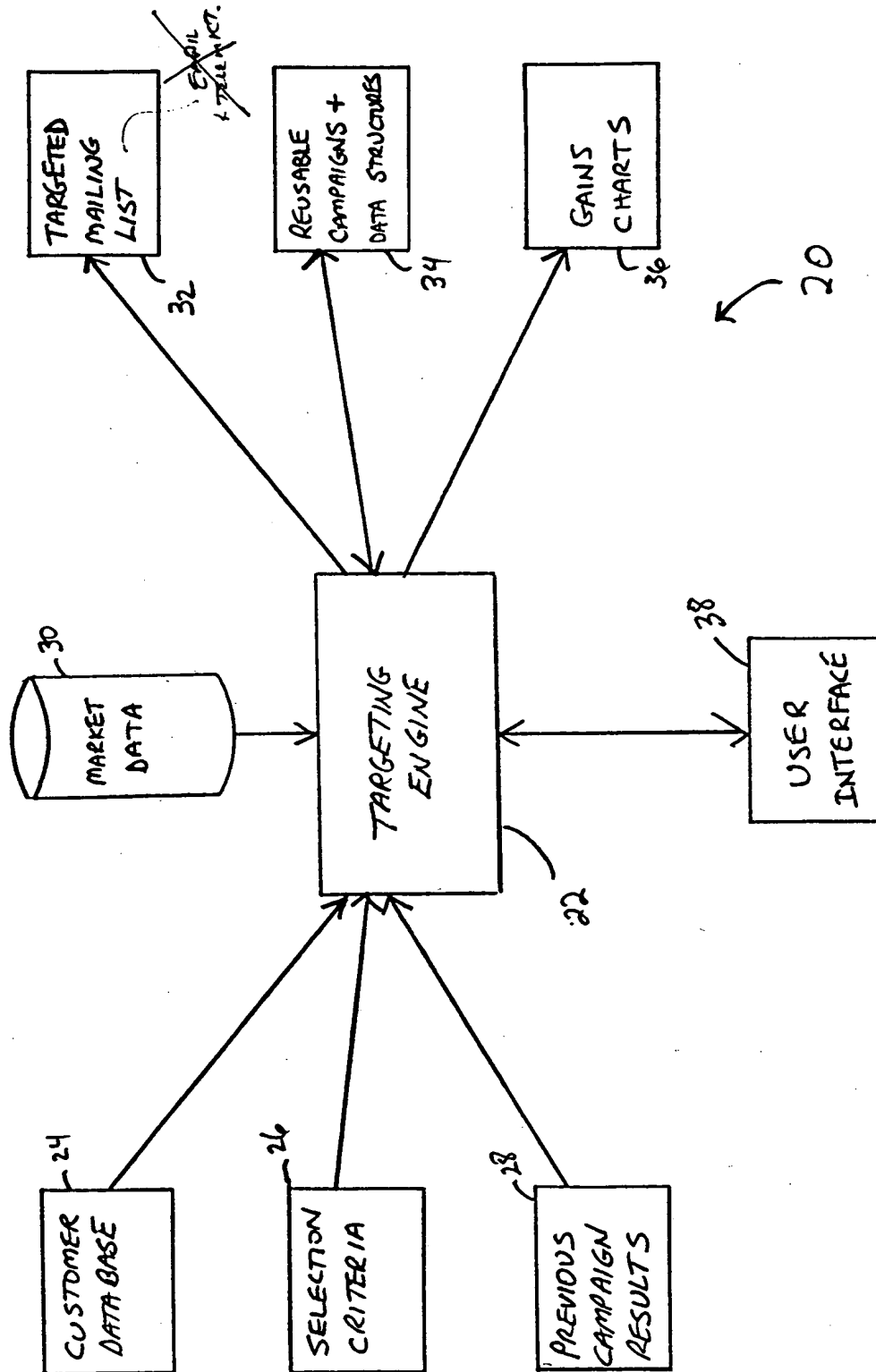


FIG. 2